

Application No. 10/567,526  
Filed: February 7, 2006  
TC Art Unit: 3721  
Confirmation No.: 9274

IN THE FIGURES

Please replace FIG. 1 with the accompanying Replacement Drawing. An Annotated Drawing of FIG. 1 is also provided. FIG. 1 has been amended to replace Roman numeral "V" with Roman numeral "VII". The Specification has been amended accordingly, *supra*. No new matter has been added.

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REMARKS

Claims 1-11 are pending, claims 1-4 and having been withdrawn by election. Claims 5-11 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 5-9 further stand rejected under 35 U.S.C. § 103(a). Claims 5-11 have been amended and claims 12 and 13 newly added. Accordingly, after entry of this amendment, the pending claims will be claims 1-13.

SECTION 112, SECOND PARAGRAPH REJECTIONS

Claims 5-11 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Applicant respectfully traverses the rejections in view of the above amendments.

SECTION 103(a) REJECTIONS

Claims 5-9 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Number 5,611,193 to Farrelly ("Farrelly") in view of U.S. Patent Number 5,471,738 to Burcham, et al. ("Burcham"). The Applicant respectfully traverses the rejections in view of the above amendments and for the reasons provided below.

Claim 5 has been amended to recite more clearly a packing unit for transferring tubes that comprises a mandrel support plate having a plurality of mandrels arranged in at least two rows thereon and a pull-off element that pushes the tubes off of the mandrels simultaneously. This feature is not taught, mentioned or disclosed by the Farrelly and/or the Burcham patents.

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The Farrelly reference discloses a two-axis loader/disloader for inserting articles into a container row-by-row. Accepting the Examiner's Official Notices *arguendo*, the Applicant agrees with the Examiner that the Farrelly reference does not teach, mention or suggest a "pull-off element" feature.

The Burcham reference discloses a device for inserting cylinder liners (10) into the openings (22) of an engine cylinder block (20). However, the Burcham reference likewise does not teach, mention or suggest a "pull-off element" feature. On the contrary, according to Burcham:

[l]iners 10 will drop in to the cylinder bores, driven solely by the force of gravity, once combination teeth 18 are in the radially retracted position.

Burcham, col. 4, lines 20-22 (Emphasis added). As the Examiner correctly points out, Burcham teaches a device that merely releases articles from the mandrel, relying of gravity to force the liners into the bores. However, the invention as claimed recites a pull-out element that pushes the tubes off of the mandrels simultaneously.

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The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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Title: METHOD AND...TUBES  
Inventor: Gottlieb Benz  
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ANNOTATED SHEET

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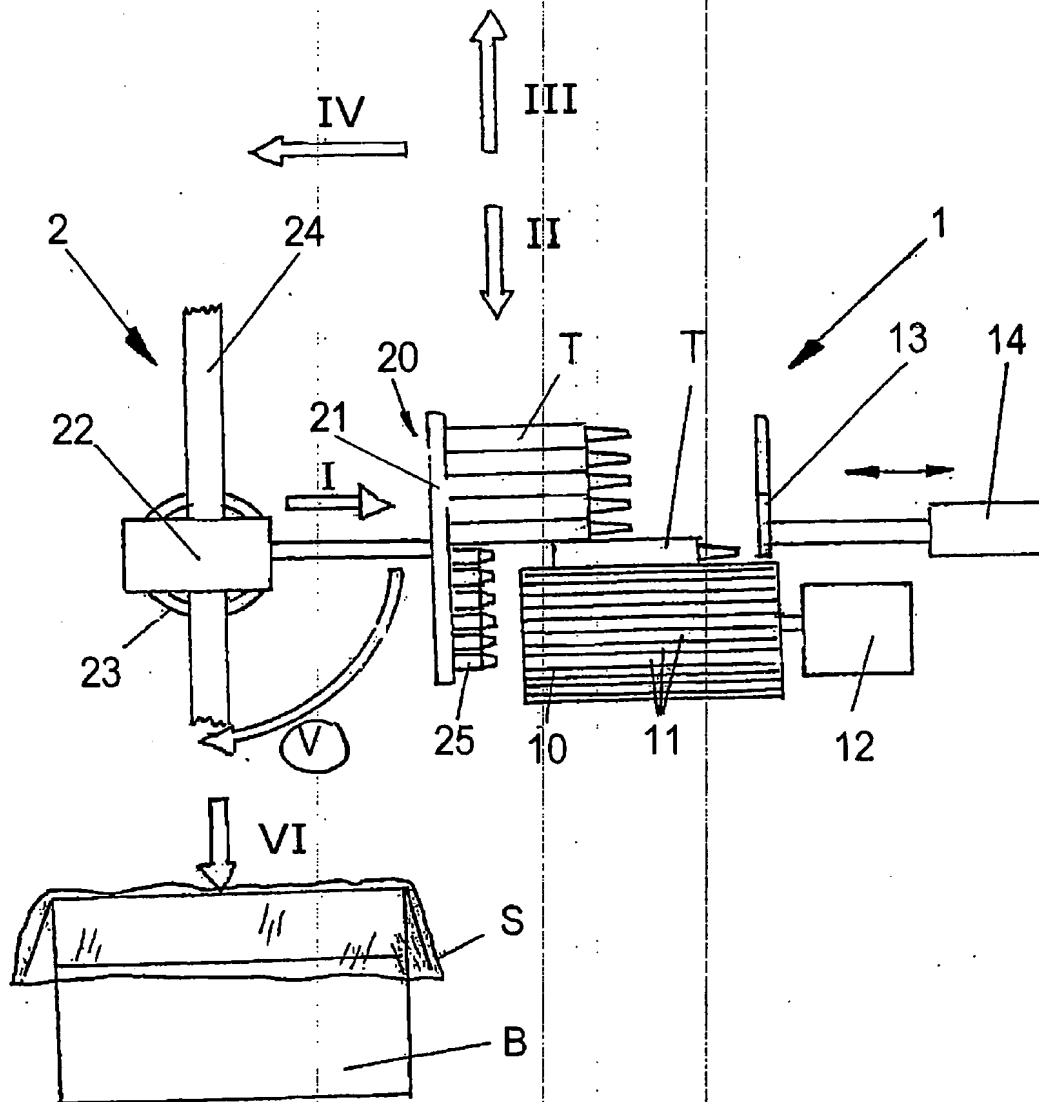


FIG. 1